

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-104-JJF
	:	
	:	
LEONARD GARNER,	:	
	:	
Defendant.	:	

**MOTION FOR CONTINUANCE OF SENTENCING**

Defendant, Leonard Garner, by and through his undersigned counsel, Eleni Kousoulis, hereby moves the Court for an order continuing the sentencing hearing in this case. In support of the motion, the defense submits as follows:

1. Mr. Garner is currently scheduled for sentencing on September 14, 2006 at 12:30 p.m.
2. Defense counsel requires additional time to prepare for sentencing and additional time to review the presentence report with Mr. Garner to determine what, if any, objections to the presentence report the defense wishes to make. As of August 25, 2006, Mr. Garner had not yet received a copy of his presentence report in this case, and defense counsel will be out of the office the week of August 28, 2006.
3. Defense counsel respectfully requests that Mr. Garner's sentencing be continued for 30 days to allow defense counsel time to adequately review the presentence report with Mr. Garner and to prepare for sentencing.

4. AUSA Beth Moskow-Schnoll is out of the office until August 28, 2006 and defense counsel was unable to reach her to find out the government's position on this motion. USPO Martin Durkin does not oppose this request for a continuance.

5. Any objections to the presentence report will be filed by the defendant no later than September 12, 2006.

WHEREFORE, Mr. Garner respectfully requests that the Court continue the sentencing hearing in this matter to anytime after October 13, 2006.

Respectfully Submitted,

/s/ \_\_\_\_\_  
Eleni Kousoulis, Esquire  
Assistant Federal Public Defender  
704 King Street, Suite 110  
Wilmington, Delaware 19801  
Attorney for Defendant Leonard Garner

DATED: August 25, 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-104-JJF
	:	
LEONARD GARNER,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

The undersigned attorney for defendant Leonard Garner hereby certifies that a copy of Defendant's Motion for Continuance of Sentencing is available for public viewing and downloading and was electronically delivered on August 25, 2006, to:

Beth Moskow-Schnoll, Esquire  
Assistant U.S. Attorney  
1007 Orange Street  
Suite 700, P.O. Box 2046  
Wilmington, DE 19899-2046

The undersigned attorney further certifies that on August 28, 2006, a copy of the attached Motion for Continuance of Sentencing was placed in a box in the United States District Court of the District of Delaware addressed to the following person:

Martin Durkin  
U. S. Probation Officer  
Suite 400, 824 Market Street  
Wilmington, DE 19801-3588

/s/ \_\_\_\_\_  
Eleni Kousoulis, Esquire  
Assistant Federal Public Defender  
704 King Street, Suite 110  
Wilmington, Delaware 19801  
Attorney for Defendant Leonard Garner